

REMARKS

This document is in response to that Office Action dated September 22, 2004. It is acknowledged with appreciation that the Examiner has indicated that: Claims 4, 5, 9 and 18 would be allowable if rewritten in independent form including all of the recitations of the base claim and any intervening claims, and that Claims 22 and 24 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, and to including all of the recitations of the base claim and any intervening claims. Accordingly and to expedite allowance of the present application:

- Amended Claim 1 represents original Claim 4 rewritten in independent form including all of the recitations of the base claim and any intervening claims,
- Claims 5 and 9 have respectively been rewritten in independent form including all of the recitations of the base claim and any intervening claims,
- Amended Claim 16 represents original Claim 18 rewritten in independent form including all of the recitations of the base claim and any intervening claims, and
- Claim 22 has been rewritten to overcome the rejection under 35 U.S.C. 112, and in independent form including all of the recitations of the base claim and any intervening claims.

The Applicant respectfully disagrees with the rejection of Claim 11 under 35 U.S.C. 112, second paragraph. Nonetheless, and in an effort to expedite prosecution, Claim 11 has been amended, for purposes of clarification, and not for the purpose of narrowing the scope of the claim, to clarify that in Claim 11 the Applicant is claiming the vehicle seat in combination with the adjuster. It is respectfully submitted that those of ordinary skill in the art will understand that Claim 11 is claiming the vehicle seat in combination with the adjuster.

The rejection of Claim 21 under 35 U.S.C. 112, second paragraph, has been overcome by amending Claim 21, for purpose of clarification, so that it depends from amended Claim 1. As mentioned above, amended Claim 1 represents original Claim 4 rewritten in independent form including all of the recitations of the base claim and any intervening claims.

For the purpose of avoiding fees for additional claims, Claim 4 has been cancelled and novelty from Claim 4 has been incorporated into Claim 3, and Claim 18 has been cancelled and novelty from Claim 18 has been incorporated into Claim 17. The amendments to Claim 16 that are in addition to those described above have been made for purposes of clarification and not to narrow the scope of the claim. Claims 21-24 have been amended, for purpose of clarification and not for the

purpose of narrowing the scope of the claims, so that their preambles refer to an adjuster rather than a fitting.

Notwithstanding the foregoing, the Applicant respectfully disagrees with the rejections over prior art and reserves the right to pursue the original claims of the present application.

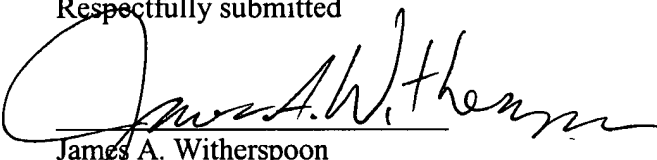
In view of the foregoing, it is respectfully submitted that the present application is in condition for immediate allowance, and such action is solicited. If for some reason the Examiner deems that the present application is not in condition for immediate allowance, it is respectfully requested that the Examiner telephone the undersigned at 704-331-4904 in an effort to expedite prosecution.

Priority Under 35 U.S.C. § 119

The Applicant made a claim for foreign priority and filed a certified copy of the priority document for the present application on August 22, 2003. However, the Patent Office has acknowledged neither Applicant's priority claim nor receipt of the certified copy of the priority document. Therefore, it is respectfully requested that the Patent Office acknowledge both Applicant's priority claim and receipt of the certified copy of the priority document. At the Examiner's request, the Applicant will provide proof that Applicant has previously claimed foreign priority and filed a certified copy of the priority document.

The Commissioner is hereby authorized to charge any additional fees that may be required for the timely consideration of this Amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment, to Deposit Account No. 09-0528.

12/22/04
Date

Respectfully submitted

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